



**PUBLIC MINUTES
PROPERTY MAINTENANCE APPEALS BOARD**

**Wednesday, March 29, 2017, 3:30 p.m.
Committee Room B, City Hall**

PRESENT: Mr. Ian Oliver, Chair
Mr. Michael Brockbank, Vice-Chair
Mr. Roy Fleming, Member
Mr. Dan Wiks, Member

ABSENT: Mr. Donald Stiller, Member

ALSO PRESENT: Mr. David Faulkner, Municipal Inspector
Mr. Luc Durand, Fire Marshal and Municipal Inspector
Secretary, Ms. Debby Sackmann

- 1. Property Maintenance Appeal No. 03-2017**
Bylaw No. 8175 – The Property Maintenance & Nuisance Abatement Bylaw, 2003
Chris Oblinger
134 Avenue P South – 17-ORC-027
(File No. PMAB. 4410-017-003)

Introductions were held. The Chair commenced the hearing at 3:31 p.m. and briefly outlined the procedures that would be followed during the course of the hearing.

APPEARED FOR THE APPELLANT:

Mr. Chris Oblinger, absent

APPEARED FOR THE RESPONDENT:

Mr. David Faulkner, Municipal Inspector, Saskatoon Fire Department
Mr. Luc Durand, Fire Marshal and Municipal Inspector, Saskatoon Fire Department

GROUNDS AND ISSUES:

The Appellant, Chris Oblinger, launched an appeal under Section 56(1) of *Bylaw No. 8175 – The Property Maintenance & Nuisance Abatement Bylaw, 2003* and Section 329 of *The Cities Act*, in connection with an Order to Remedy Contravention 17-ORC-027 for the property at 134 Avenue P South. The Order to Remedy outlined the following:

“1. CONTRAVENTION:

There is a blue ½ ton Truck with no license plates on it and a flat tire. This vehicle is not registered, not operable, and left in an abandoned condition located on private property. This vehicle is considered a junked vehicle and is also creating a nuisance in the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than March 15, 2017, restore to an operable condition and register the Blue ½ Ton Truck or remove the mentioned vehicle from the property.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(h), 5, 10, and 14.

2. CONTRAVENTION:

There is a Red 4 door Mazda with no license plates, which is not registered, not operable, and left in an abandoned condition located on private property. This vehicle is considered a junked vehicle and is also creating a nuisance in the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than March 15, 2017, restore to an operable condition and register the Red 4 door Mazda or remove the mentioned vehicle from the property.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(h), 5, 10, and 14.

Note: The owner is responsible to comply with all other Acts and Regulations, building permits, electrical and plumbing permits.”

As set out in the Notice of Appeal to the Property Maintenance Appeals Board (Exhibit A.1), the Appellant outlined the reasons for appealing, as follows:

“I was last on the property on February 20, 2017. Both vehicles had plates/insurance attached to them. Both vehicles had inflated tires. I have no problem re-plating the vehicles or moving them, however myself or anyone else will be able to do so until April 5, 2017. Please allow this extension.”

EXHIBITS:

- Exhibit A.1: Notice of Appeal from Chris Oblinger to the Property Maintenance Appeals Board, received in City Clerk's Office on March 15, 2017.
- Exhibit B.1: Notice of Hearing dated March 21, 2017.
- Exhibit R.1: Order to Remedy Contravention 17-ORC-027 dated February 24, 2017, for the property at 134 Avenue P South, received in City Clerk's Office on February 24, 2017.
- Exhibit R.2: Saskatoon Fire Department information package received in City Clerk's Office on March 21, 2017, containing:
1. Property Maintenance Bylaw 8175 Inspection Report with "Order" in notes;
 2. Property Map;
 3. Owner Report;
 4. Order to Remedy Contravention with Photographs; and
 5. Photographs taken on the morning of the appeal.
- Exhibit R.3: Site photographs, submitted by the Municipal Inspector at the hearing, dated March 29, 2017.

SUPPLEMENTARY NOTATIONS:

The Respondent, Mr. David Faulkner, Municipal Inspector, and Ms. Debby Sackmann, Board Secretary, affirmed that any evidence given in this hearing would be the truth.

The Respondent gave evidence and argument and the Board Secretary gave testimony on behalf of the Appellant as outlined in the Record of Decision dated April 10, 2017.

The hearing concluded at 3:48 p.m.

RESOLVED: That for the reasons outlined in the Record of Decision dated April 10, 2017, the Board determined that the requirements of the Order to Remedy Contravention 17-ORC-027, dated February 24, 2017, with respect to the property at 134 Avenue P South be **UPHELD** and **EXTENDED** to **APRIL 19, 2017**.

2. ADOPTION OF MINUTES

Moved By: M. Brockbank

That the minutes of meeting held on March 15, 2017, be adopted.

CARRIED

The meeting adjourned at 4:00 p.m.

Mr. Ian Oliver, Chair

Ms. Debby Sackmann, Secretary